

**RHODE ISLAND DEPARTMENT OF LABOR & TRAINING  
DIVISION OF PROFESSIONAL REGULATION  
MECHANICAL BOARD**

**1511 Pontiac Avenue**

**Building 70 – 2nd Floor Conference Room**

**Cranston, RI**

**401.462.8538**

**WEDNESDAY, September 7, 2005**

**9:00 A.M.**

**In attendance: Stanley Davies**

**Michael Carreiro**

**Chester Stewart**

**Peter Lombardi**

**1 Ronald Cronin**

**E. Patrick Luther**

**Board members Frank Babbitt, Kenneth Aurecchia, John Webster, and Bobby Joe Harris are not in attendance for today's meeting.**

**Mr. Davies called the meeting to order at 9:20 a.m.**

**There are twelve (12) hearings scheduled today for which there is a**

**board stenographer.**

## **1. RI Sheetmetal, LLC – Violation # 2438**

**The first appeal hearing today is with RI Sheetmetal, LLC. Mr. Thomas J. Gravel, RIDLT Investigators, Edward Whittaker and Charles Wright are present and sworn in by the board stenographer.**

**Mr. Whittaker read the violation: It is alleged that on July 5, 2005, a permit was issued to Mr. Thomas J. Gravel of Rhode Island Sheetmetal, LLC, for Mechanical work at 25 Old Beach Road, Newport, RI when, upon investigation by Mr. Edward Whittaker, RIDLT Investigator, the work was done by Nuzzo Mechanical, Inc. This is a violation of RIGL 28-27-20 "Municipal inspections and installation permits".**

**Based on the testimony provided today, Mr. Luther made a motion to suspend the fine for violation of RIGL 28-27-20 "Municipal inspections and installation permits". Mr. Carreiro seconded the motion. All members voted in favor.**

## **2. Thomas Gravel – Revocation Hearing**

**The next hearing today is a Revocation Hearing regarding Mr.**

**Thomas J. Gravel who is present. Mr. Gravel has already been sworn in.**

**Mr. Wright read the Revocation Notice: On July 5, 2005, a mechanical permit was issued to Rhode Island Sheetmetal, LLC, RM2-00006405 from the Town of Newport for the installation of an HVAC system at 25 Old Beach Road, Newport, RI. Upon investigation by Mr. Edward Whittaker, RIDLT Senior Chief Mechanical Investigator, Nuzzo Mechanical who is not properly licensed in the State of Rhode Island performed this work.**

**This is a violation of RIGL 28-27-21 (4) “grounds for revocation of license”.**

**Please appear before the Mechanical Board for a hearing regarding RIGL 28-27-21 (4) “GROUNDS FOR REVOCATION OF LICENSE” at its meeting scheduled for Wednesday, September 7, 2005 at 9:00 am at the Rhode Island department of Labor & Training, Division of Professional Regulation, 1511 Pontiac Avenue, Building 70, Cranston, RI 02920 – 2nd Floor Conference room.**

**If you fail to appear at this hearing it will be conducted in your absence.**

**Based on the testimony provided today in the previous appeal of Violation # 2438, Mr. Carreiro made a motion to dismiss the**

revocation notice. Mr. Cronin seconded the motion. All members voted in favor.

**3. Stephen Healy – Violation # 2223**

**4. Stephen Healy – Violation # 2224**

**5. Stephen Healy – Violation # 2225**

**6. Stephen Healy – Violation # 2226**

**7. Stephen Healy – Violation # 2227**

The next five (5) appeal hearings today are with regard to Stephen Healy. Mr. Healy is present and sworn in by the board stenographer. Mr. Davies asked Mr. Healy if he had any objection to having all appeals heard at the same time. Mr. Healy stated he had no objections.

Mr. Whittaker read Violation # 2223: It is alleged that in April 2004, Mr. Steve M. Healy installed a hot water boiler, sheet metal ducting and air conditioning at 28 Whisper Lane, Pleasant Hills, South Kingstown, RI without the proper RI Pipefitter contractor license. This is a violation of RIGL 28-27-5 "Practices for which a master or contractor license is required".

Mr. Whittaker stated that the following addresses coincide with the violation # to follow. Each of the violations listed below are for nine hundred and fifty (\$950.00) dollars each:

**65 Echo Lane, Pleasant Hills, South Kingstown, RI – Violation # 2224**

**20 Echo Lane, Pleasant Hills, South Kingstown, RI – Violation # 2225**

**33 Cinnamon, lot 20, Pleasant Hills, South Kingstown, RI – Violation # 2226**

**62 Echo Lane, Pleasant Hills, South Kingstown, RI – Violation # 2227**

**Based on the testimony provided today, Mr. Carreiro made a motion to uphold the fine of five hundred (\$500.00) dollars for violation of RIGL 28-27-5 "Practices for which a master or contractor license is required" (Violation # 2223) and to uphold all the fines in the amount of nine hundred and fifty (\$950.00) dollars for violation of RIGL 28-27-5 "Municipal inspections and installation permits" (Violation #'s 2224, 2225, 2226, and 2227). The total of all fines is four thousand three hundred (\$4,300.00) dollars.**

#### **8. G&G Fire Protection – Violation # 2400**

**The next appeal hearing today is with regard to G&G Fire Protection. Mr. Gary Leblanc is representing G&G Fire Protection Inc., and is sworn in by the board stenographer.**

**Mr. Whittaker read the violation. It is alleged that on June 9, 2005 at 6:30pm, RIDLT Investigator, Mr. Glenn Dusablon, did find two (2) alleged employees (Michael Mason, 60 King Phillip Road, Norton, MA and Ron Holmes) of Mr. Gregory Parker Bowman of G&G Fire Protection performing sprinkler work in the computer area of Blue**

**Cross, 15 LaSalle Square, Providence, RI without the proper RI Mechanical license. This is a violation of RIGL 28-27-28 "Practices for which a license is required". Further, G&G Fire Protection, Inc. does not have a RI licensed Fire Protection Master in their corporate paperwork. This is a violation of RIGL 28-27-6 "corporations and firms engaged in business". Further, no permit was issued by the City of Providence. This is a violation of RIGL 28-27-20 "municipal inspections and installation permits".**

**Based on the testimony provided today, Mr. Carreiro made a motion to uphold the fines for violation of RIGL 28-27-28 "Practices for which a license is required", violation of RIGL 28-27-6 "Corporations and firms engaged in business" and for violation of RIGL 28-27-20 "Municipal inspections and installation permits". Mr. Stewart seconded the motion. All members voted in favor.**

## **9. Architectural Fireplaces of New England Inc. – Violation # 2122**

**The next appeal hearing today is with Architectural Fireplaces. Mr. Mike Smith is representing Architectural Fireplaces and is sworn in by the board stenographer.**

**Mr. Whittaker read the violation: It is alleged that on October 1, 2004, Mr. Charles Wright, RIDLT Investigator, found that Architectural Fireplaces of New England Inc., did install two (2) zero clearance fireplaces at Plat 45 – Lot 55-22, East Side of Starlight Drive, Tiverton,**

RI without a RI mechanical license. This is a violation of RIGL 28-27-6 "Corporations and firms engaged in business". Further, no permit was issued by the Town of Tiverton. This is a violation of RIGL 28-27-20 "State and municipal inspections and installation permits". Based on the testimony provided today, Mr. Carreiro made a motion to suspend the fines for violation of RIGL 28-27-6 "Corporations and firms engaged in business" and RIGL 28-27-20 "Municipal inspections and installation permits" for a 12-month period. Mr. Cronin seconded the motion. All members voted in favor.

#### **10. R.T. Nunes & Sons – Violation # 2122**

The next appeal hearing today is with regard to R.T. Nunes & Sons. Mr. Ronald Nunes is present and sworn in by the board stenographer.

Mr. Whittaker read the violation. It is alleged that on June 22, 2005, Mr. E. Patrick Luther, RIDLT Investigator did find an alleged employee (Michael A. Girardi, 7 Jade Road, Coventry, RI of R.T. Nunes & Sons, Inc., working on a newly installed fire service line at Domenic's Pizza, Tiogue Avenue, Coventry, RI without a valid RI Fire Protection license. This is a violation of RIGL 28-27-28 "Practices for which a license is required". R.T. Nunes & Sons, Inc., does not have a RI licensed Master Fire Protection individual listed in their corporation. This is a violation of RIGL 28-27-6 "Corporations and firms engaged in business". Further, no permit was issued by the Town of Coventry.

This is a violation of RIGL 28-27-20 "Municipal inspections and

**installation permits”.**

**Based on the testimony provided today, Mr. Carreiro made a motion to uphold the fine for violation of RIGL 28-27-28 "Practices for which a license is required" and the fine for violation of RIGL 28-27-20 "Municipal inspections and installation permits". Mr. Stewart seconded the motion. All members voted in favor.**

**11. Peter Bibby – Violation # 1301**

**12. Peter Bibby – Violation # 2372**

**The final two appeal hearings today are with Peter Bibby who is present and sworn in by the board stenographer.**

**Mr. Whittaker read Violation # 2372. It is alleged that on May 3, 2005, a complaint was received from Mr. Frank Babbitt, City of Providence Mechanical Inspector, that Peter Bibby has installed heating equipment at 19-21 Sassafras Street, Providence, RI without obtaining a permit from the City of Providence. This is a violation of RIGL 28-27-20 "Municipal inspections and installation permits".**

**Mr. Luther made a motion to continue this appeal until Mr. Bibby could be present to testify as to the facts. Mr. Carreiro seconded the motion. All members voted in favor.**

**Mr. Whittaker read violation # 1301: It is alleged that on June 4, 2003,**

**Mr. Peter Bibby performed sheet metal work at 765 Dexter Street, Central Falls, RI without an activated license. This is a violation of RIGL 28-27-28 "Practices for which a license is required". Further, no permit was issued from the City of Central Falls. This is a violation of RIGL 28-27-20 "State and municipal inspections and installation permits".**

**Mr. Valentino Lombardi, RIDLT Legal Counsel, stated that the decision on Appeal #1301 was decided on August 20, 2003, therefore, before Mr. Bibby cannot proceed with an appeal before this board until he sends a letter to the Administrator of this department requesting the previous decision be vacated and request that this board consider reopening this case.**

**Mr. Carreiro made a motion to accept the opinion of Legal Counsel and not take any action on violation # 1301. Cronin seconded the motion. All members voted in favor.**

**This concludes the appeal hearings for today.**

**Mr. Davies asked the board if they have had an opportunity to review the minutes of the July meeting. Mr. Lombardi made a motion to accept the minutes as recorded. Mr. Stewart seconded the motion. All members voted in favor.**

**With no further business, Mr. Lombardi made a motion to adjourn the meeting at 10:30**

**am. Mr. Stewart seconded the motion. All members voted in favor.**

**The next meeting of the Mechanical Board is scheduled for Wednesday, October 5, 2005 at 9:00 a.m. in Building 70, second floor conference room.**